

CLAY COUNTY BOARD OF COMMISSIONERS

Tuesday, February 17, 2015

8:30 a.m.

County Board Room – 3<sup>rd</sup> Floor – Courthouse

M I N U T E S

The Clay County Board of Commissioners met in regular session with all Commissioners present: Campbell, Gross, Ingersoll, Mongeau, and Weyland. County Administrator Brian C. Berg, Chief Assistant County Attorney Jenny Samarzja, and Administrative Assistant Colleen Eck were also present.

APPROVAL OF AGENDA

On motion by Gross, seconded by Campbell, and unanimously carried, the agenda was approved as presented.

APPROVAL TO ACCEPT DONATION FROM ULEN LIONS CLUB FOR DARE PROGRAM

By consent agenda, the Board accepted a \$100 donation from the Ulen Lions Club for the DARE program.

APPROVAL OF EXEMPT PERMIT FOR BARNESVILLE THURSDAY NITE LIONS FOR  
BINGO/RAFFLE EVENT

By consent agenda, the Board approved an exempt permit for the Barnesville Thursday Nite Lions for a Bingo/Raffle event on April 17, 2015.

AUTHORIZE EXECUTION OF ENGAGEMENT LETTER WITH MN STATE AUDITOR

By consent agenda, the Board authorized execution of the Engagement Letter with the MN State Auditor for the 2014 Audit.

CITIZENS TO BE HEARD

There were no citizens present who wished to address the Board.

APPROVE PAYMENT OF BILLS AND VOUCHERS

On motion by Campbell, seconded by Ingersoll, and unanimously carried, the bills and vouchers were approved for payment.

APPROVE MINUTES OF FEBRUARY 3 & 10, 2015 COUNTY BOARD MEETINGS

On motion by Mongeau, seconded by Gross, and unanimously carried, the minutes of the County Board meetings held February 3 & 10, 2015 were approved as presented.

DEPARTMENTAL UPDATE – VETERANS SERVICE OFFICE

Veterans Service Officer Tom Figliuzzi presented an update of the activities of the Veterans Service Office: 19 volunteers offer assistance to the office, lifetime management of cases is provided, the veterans files have been digitized allowing access to Federal and VA claims, access can now be gained to military records from National Archives, training of staff continues, and the first ever Clay County Veterans Conference was held in 2014.

REQUEST TO FILL COUNSELOR POSITIONS FOR WEST CENTRAL  
REGIONAL JUVENILE CENTER AND ADD COUNSELOR POSITION

On motion by Campbell, seconded by Gross, and unanimously carried, the Board approved filling a full time Counselor (secure) position for the West Central Regional Juvenile Center which is vacant due to a resignation.

Juvenile Center Director Stephen Larson informed the Board that the number of youth in the Center has increased dramatically in 2015 with the addition of Cass County youth.

On motion by Ingersoll, seconded by Mongeau, and unanimously carried, the Board approved hiring an additional full time Counselor position (secure) to handle increased numbers (recently 28/day).

DISCUSSION RE: REQUEST TO ACQUIRE HIGHWAY SHOP PROPERTY IN HAWLEY

County Engineer David Overbo informed the Board that discussions have been held with representatives from Hawley area governmental units (Townships, Hawley Emergency Response Team, and Fire Department) regarding the possibility of the County selling the County Highway shop property in Hawley for use as a future HERT/Hawley Fire Department/training facility. The Hawley representatives are looking for a letter of intent to this effect.

The County would purchase rural property and combine the functions of the Hawley shop and Rollag shop in one location to better service that area. A parcel has been located that would work for the proposed combined shop building, which would be similar to the Barnesville shop. The Highway Tracking Committee has reviewed and supports sending a letter of intent.

On motion by Gross, seconded by Campbell, and unanimously carried, the Board directed the County Administrator to send a letter of intent to the Hawley group as outlined above.

PROPOSED 2015 EQUIPMENT PURCHASES

County Engineer David Overbo requested the Board's authorization to purchase four pickups and two survey vehicles via the State bid list, from Nelson Auto Center and Midway Ford. The cost, less trade-in value, is \$159,817.85, to be paid from the Internal Service Fund. The service life in the Internal Service Fund has been reviewed by the Highway Tracking Committee and adjusted where appropriate.

On motion by Gross, seconded by Campbell, and unanimously carried, the Board approved the 2015 equipment purchases as described above.

APPROVAL OF ANNUAL TOWNSHIP MAINTENANCE CONTRACTS FOR 2015-2016

County Engineer David Overbo informed the Board that in calculating the Township Maintenance contract for 2015-2016, using 2014 figures, there were more summer blading hours and less snow plowing hours. This results in a reduction of the rate from last year. A 5-year rolling average method is used and the Townships are charged the actual previous year costs plus 1.5% inflation.

On motion by Campbell, seconded by Ingersoll, and unanimously carried, the Board approved the Township Maintenance contract for 2015-2016 at a rate of \$821/mile.



**APPROVAL OF STATE AID FUNDING ADVANCE RESOLUTION**

On motion by Campbell, seconded by Gross, and unanimously carried, the following resolution was adopted approving a request for an advance of State Aid funding in the amount of \$2,589,320.70:

**COUNTY STATE AID AND HIGHWAY FUNDS ADVANCE RESOLUTION**

**RESOLUTION 2015-8**

WHEREAS, the County of Clay is planning to implement County State Aid Street Project(s) in 2015 which will require State Aid funds in excess of those available in its State Aid Regular Construction Account, and

WHEREAS, said County is prepared to proceed with the construction of said project(s) through the use of an advance from the State Aid Construction Fund to supplement the available funds in their State Aid Regular Construction Account, and

WHEREAS, the advance is based on the following determination of estimated expenditures:

Account Balance as of date 2/11/15 - \$981,591.50

Less estimated disbursement:

Project # SAP 14-618-15 - \$3,000,000.00

Project # SAP 14-652-14 - \$3,300,000.00

Project # Bond Payment - \$1,025,000.00

Advance Amount (amount in excess of Account balance) \$2,589,320.70

WHEREAS, repayment of the funds so advanced will be made in accordance with the provisions of Minnesota Statutes 162.08, Subd. 5 & 7 and Minnesota Rules, Chapter 8820, and

WHEREAS, the County acknowledges advance funds are released on a first-come, first served basis and this resolution does not guarantee the availability of funds.

NOW, THEREFORE, BE IT RESOLVED, That the Commissioner of Transportation be and is hereby requested to approve this advance for financing approved County State Aid Highway Project(s) of the County of Clay in an amount up to \$2,600,000.00 in accordance with Minnesota Rules 8820.1500, Subp. 9. I hereby authorize repayments from subsequent accruals to the Regular/Municipal Construction Account of said County in accordance with the schedule herein indicated:

Repayment from entire future year allocations until fully repaid.

**APPROVAL OF RESOLUTION FOR FUNDS TO CITIES IN CLAY COUNTY FOR MAINTAINING  
COUNTY ROADS WITHIN THEIR CITY LIMITS**

On motion by Ingersoll, seconded by Campbell, and unanimously carried, the following resolution was adopted approving reimbursement of funds to the cities in Clay County for maintaining County roads within their city limits:

**RESOLUTION 2015-7**

IT IS HEREBY RESOLVED, by the Clay County Board of Commissioners that the Clay County Auditor-Treasurer shall reimburse the municipality of the City of Moorhead, a city of the second class in the State of Minnesota, for all monies expended by that government body for the establishing, locating, constructing, improving and maintaining of any County Highway or County State Aid Highway including those within the corporate limits of the City of Moorhead, Clay County, Minnesota. However, the monies expended directly by Clay County for the establishing, location, construction or improvement or maintenance of any County Highway or County State Aid Highway within the corporate limits of the City of Moorhead during the year 2014 shall be deducted prior to the reimbursement of any monies to the City of Moorhead as set forth above.

FURTHER, IT IS HEREBY RESOLVED that the City of Moorhead shall certify to the County Highway Engineer the location and the purpose for which said monies were expended and that the

said monies were expended during the 2014 annual year. Monies shall not exceed \$352,210.14 and unexpended monies shall be encumbered.

**FURTHER, IT IS HEREBY RESOLVED**, that the following Cities be reimbursed for money spent on City Streets for 2014 in the following amount:

City of Barnesville	\$8,765.40
City of Comstock	452.48
City of Dilworth	23,504.44
City of Felton	650.34
City of Georgetown	402.35
City of Glyndon	4,349.16
City of Hawley	9,108.81
City of Hitterdal	644.02
City of Sabin	2,001.31
City of Ulen	3,227.97
<b>TOTAL</b>	<b>\$53,106.28</b>

#### CLOSED SESSION: DISCUSSION – ATTORNEY/CLIENT PRIVILEGE

On motion by Mongeau, seconded by Gross, and unanimously carried, the meeting was closed to discuss personnel matters via attorney/client privilege.

On motion by Ingersoll, seconded by Gross, and unanimously carried, the meeting reopened.

On motion by Campbell, seconded by Ingersoll and unanimously carried, the Board authorized execution of a mediated settlement agreement of the litigation in S.F. vs. Clay County and Clay County Social Services, and that Clay County will issue full payment of its portion of the settlement to its insurance carrier, Minnesota Counties Intergovernmental Trust, in the amount of \$27,500.

#### COMMITTEE REPORTS/COUNTY ADMINISTRATOR UPDATE

Commissioner Ingersoll attended the Soil & Water Conservation District meeting.

Commissioner Gross attended interviews for a University of MN Extension 4-H position; and meetings of the FM Council of Governments Executive Committee; Highway Tracking Committee; a meeting with the Townships regarding cost of Highway Maintenance; and a meeting with area Legislators.

Commissioner Campbell attended the Highway Tracking Committee meeting and meetings with area Legislators.

Commissioner Mongeau attended the meeting with area Legislators.

Commissioner Weyland attended meetings of the FM Economic Development Corporation, Beyond the Yellow Ribbon, MRCC, and a meeting with area Legislators.

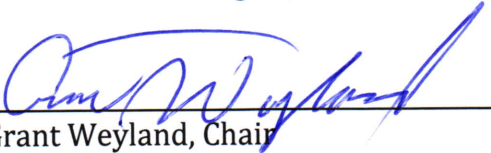
County Administrator Brian Berg attended many of the meetings mentioned above, as well as the Veterans Service Office staff meeting.



Mr. Berg advised that the Minnesota Association of County Agriculture Inspectors has requested support of a bill that will support funding for the County Agriculture Inspector duties performed in the counties. On motion by Mongeau, seconded by Gross, and unanimously carried, the Board directed the County Administrator to communicate the Board's support for this bill to the Association of Minnesota Counties for their support as well.

ADJOURN

The meeting adjourned.

  
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Grant Weyland, Chair  
Clay County Board of Commissioners

  
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Brian C. Berg, County Administrator